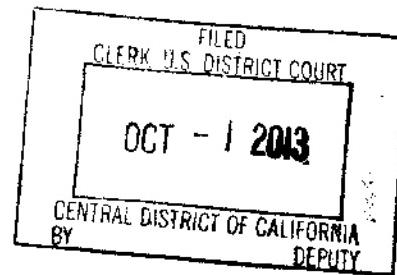


1 PORTFOLIO RECOVERY ASSOCIATES LLC
2 Rami N. Haddad (SBN: 253400)
3 140 Corporate Boulevard
Norfolk, VA 23502
Telephone: 757-481-8359
Fax: 757-321-2518
Email: rnhaddad@portfoliorecovery.com
5 Attorney for Defendant
6 PORTFOLIO RECOVERY ASSOCIATES LLC



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8
9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION

12
13 CAROLYN NAVARRO

} Case No. CV 13-07265-i

14 Plaintiff

15 vs

16 PORTFOLIO RECOVERY ASSOCIATES LLC

17 Defendant.

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NOTICE OF REMOVAL

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

2 PLEASE TAKE NOTICE that Defendant Portfolio Recovery Associates, LLC
3 ("Defendant"), by and through its undersigned counsel, hereby removes to this Court the state court
4 action described below.

5 1. On August 26, 2013, a complaint was filed against Defendant in an action pending in the
6 Superior Court of the State of California for the County of Los Angeles entitled Navarro v. Portfolio
7 Recovery Associates LLC, Case No. 13K12032.

8 2. PRA was served with a copy of the complaint and summons on September 6, 2013. A
9 copy of the state court Summons and Complaint, the Civil Case Cover Sheet, that were served on
10 Defendant and all other documents filed in the State Court action are attached hereto as **Exhibit A**.

11 3. This removal petition is timely under 28 U.S.C § 1446(b) because Defendant was served
12 with the Original Complaint on September 6, 2013.

13 **JURISDICTION**

14 1. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C.
15 § 1331 and which may be removed to this Court by Defendant pursuant to the provisions of 28
16 §U.S.C. 1441(b) in that the Complaint alleges claims against Defendant that arise under federal law.
17 See Exhibit A.

18 2. The United States Supreme Court has held that "in certain cases federal question
19 jurisdiction will lie over state-law claims that implicate significant federal issues[,] therefore "a
20 federal court ought to be able to hear claims recognized under state law that nonetheless turn on
21 substantial questions of federal law." *Grable & Sons Metal products, Inc. v. Darue Eng'g & Mfg.*,
22 545 U.S. 308,312 (2005). "[A] state-law claim could give rise to federal-question jurisdiction so
23 long as it 'appears from the [complaint] that the right to relief depends upon the construction or
24 application of [federal law].'" *Id.* (citing *Smith v. Kansas City Title & Trust Co.* 255 U.S. 180, 199
25 (1921)).

26 3. Plaintiff's Complaint, contains two causes of action. The first cause of action alleges
27 violations of the Rosenthal Fair Debt Collection Practices Act (the "RFDCPA"), Cal. Civ. Code §
28 1788, et seq. The second cause of action arises under the Federal Debt Collection Practices Act (the

1 "FDCPA"). The Complaint relies on various sections and definitions of the FDCPA which is
2 incorporated into the RFDCPA. In particular, Plaintiff alleged that the financial obligation at issue in
3 this case is a "debt" as that term is defined by § 1692(a)(5) of the FDCPA. See Exhibit A,
4 Complaint, Paragraph 3. Similarly the Plaintiff alleges that the Defendant "regularly attempts to
5 collect debts alleged to be due another and therefore is a 'debt collector' as defined by the FDCPA,
6 15 U.S.C. § 1692(a)(6) and RFDCPA, Cal. Civ. Code § 1788.2(c)." See Exhibit A, Complaint,
7 Paragraph 3.

8 4. Plaintiff alleges that Defendant's conduct violated both the RFDPDA and the FDCPA in
9 multiple ways including but not limited to causing Plaintiff's phone to ring repeatedly with the intent
10 to harass, annoy, or abuse Plaintiff [§ 1692d(5), Cal. Civ. Code § 1788.11(d) and (e)], and by
11 communicating with Plaintiff at times or places which were known or should have been known to be
12 inconvenient [§ 1692c(a)(1)].

13 5. Plaintiff's first cause of action is under the RFDCPA. However the RFDCPA, specifically
14 section 1778.17, requires debt collectors to comply with the provisions of the FDCPA sections
15 1692b to 1692j, inclusive of, and shall be subject to the remedies of § 1692k of Title 15 of the
16 United States Code. Plaintiff alleges violation of § 1692d, § 1692d(5), § 1692c(a)(1), and § 1692f
17 and § 1692f(1) (1) all of which are incorporated into the RFDCPA. Plaintiff's RFDCPA cause of
18 action arises under the FDCPA as incorporated by statute and the violations of which are provided a
19 remedy for under § 1692k.

20 6. Plaintiff's RFDCPA cause of action "turn on substantial questions of federal law" because
21 it requires the determination of whether Defendant's conduct violated sections § 1692d(5), c(a)(1),
22 and f and f(1) of the FDCPA. Moreover, Plaintiff's remedies are subject to section § 1692k of the
23 FDCPA making the right to relief dependant upon the construction or application of federal law.
24 Accordingly, jurisdiction in this court is proper.

25 7. As the Complaint was filed in the Superior Court of the State of California, County of Los
26 Angeles, venue in this District is proper. See 28 § U.S.C. 1441(a) (providing for removal "to the
27 district court of the United States for the district and division embracing the place" where the state
28

1 court action is pending); 28 U.S.C. § 84(d) (Central District comprises, inter alia, the County of Los
2 Angeles).

3 8. Defendant will promptly file a copy of this notice in Superior Court of the State of
4 California, County of Los Angeles. Defendant will also promptly serve a copy of this notice upon
5 Plaintiff.

6 9. Defendant is represented by the undersigned counsel. By removing this matter, Defendant
7 does not waive any objections it may have as to service, jurisdiction, or venue, or any other defenses
8 or objections it may have with this action. Defendant expressly reserves any and all defenses,
9 motions, and/or pleas.

10

11 DATED: 10/1/2013

PORTFOLIO RECOVERY ASSOCIATES LLC

12

By: 

Rami N. Haddad
Attorney for Defendant
Portfolio Recovery Associates LLC

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1 PROOF OF SERVICE
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3 I, the undersigned declare:
4

5 I am employed in the City and County of Norfolk, Virginia. I am over the age of eighteen
6 years and not a party to this action. My business address is 140 Corporate Boulevard, Norfolk
7 Virginia 23502. I am readily familiar with the business practices of my employer, Portfolio
8 Recovery Associates, for the collection and processing of correspondence by mailing with the
9 United States Postal Service and that said correspondence is deposited with the United States Postal
service that same day in the ordinary course of business.

10 On October 1, 2013, I caused the NOTICE OF REMOVAL to be served upon the parties
11 listed below via US Mail:

12 Todd M. Friedman
13 369 S. Doheny Dr. #415
Beverly Hills, CA 90211
14 Law Offices of Todd M. Friedman, P.C.
Attorney for Plaintiff
15

16 I declare under penalty of perjury that the foregoing is true and correct. Executed at Norfolk
17 Virginia on this 1st day of October 2013.
18

19 By: 
Shannan R. Powell
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EXHIBIT A

SUMMONS**(CITACION JUDICIAL)**

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
PORTFOLIO RECOVERY ASSOCIATES, LLC

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):
CAROLYN NAVARRO

SUM-100

FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE)	
INFORMED COPY FINAL FILED OF CALIFORNIA LOS ANGELES	
AUG 26 2013 REG'D 2013	
Mr. Executive Officer/Clerk <i>Anabella Figueroa</i> Deputy Mr. Figueroa	

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs in any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** La han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le queda más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
 (El nombre y dirección de la corte es): Superior Court of Los Angeles

111 North Hill St.
 Los Angeles, CA 90012

19K12032

CASE NUMBER:
 (Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
 (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
 Todd M. Friedman, 369 S. Doheny Dr., #415, Beverly Hills, CA 90211, 877-206-4741

DATE: **AUG 26 2013** John A. Clarke Clerk, by _____ Deputy _____
 (Fecha) _____ (Secretario) _____ (Adjunta)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
 (Para prueba de entrega de esta citación usa el formulario Proof of Service of Summons. (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):

3. on behalf of (specify): **Portfolio Recovery Associates, LLC**

Under: CCP 416.10 (corporation) CCP 416.80 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):

4. by personal delivery on (date):

1 Todd M. Friedman (216752)
2 Nicholas J. Bontrager (252114)
3 Suren N. Weerasuriya (278521)
4 Law Offices of Todd M. Friedman, P.C.
5 369 S. Doheny Dr. #415
6 Beverly Hills, CA 90211
7 Phone: 877-206-4741
8 Fax: 866-633-0228
9 tfriedman@attorneysforconsumers.com
10 nbontrager@attorneysforconsumers.com
11 sweerasuriya@attorneysforconsumers.com
12 Attorneys for Plaintiff

CONFORMED COPIES
ORIGINAL FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

AUG 26 2013

John A. Clarke, Executive Officer/Clerk
S. Miller, Deputy
IV

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
LIMITED JURISDICTION 13K12032

CAROLYN NAVARRO,) Case No.
Plaintiff,)
vs.) COMPLAINT FOR VIOLATION
PORTFOLIO RECOVERY ASSOCIATES,) OF ROSENTHAL FAIR DEBT
LLC,) COLLECTION PRACTICES ACT AND
Defendant.) FEDERAL FAIR DEBT COLLECTION
) PRACTICES ACT
) (Amount not to exceed \$10,000)
)
) 1. Violation of Rosenthal Federal
) Fair Debt Collection Practices Act
) 2. Violation of Fair Debt Collection
) Practices Act

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.* (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

II. PARTIES

2. Plaintiff, CAROLYN NAVARRO ("Plaintiff"), is a natural person residing in Los Angeles county in the state of California, and is a "consumer" as defined by the FDCPA, 15 U.S.C. §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

3. At all relevant times herein, Defendant, PORTFOLIO RECOVERY ASSOCIATES, LLC, ("Defendant") was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692a(5), and a "consumer debt," as defined by Cal Civ Code §1788.2(f). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal Civ Code §1788.2(c).

III. FACTUAL ALLEGATIONS

4. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt.

5. On or about January, 2013, Plaintiff began receiving numerous calls from Defendant regarding an alleged debt. Defendant called Plaintiff excessively and to the point of harassment. To the best of Plaintiff's knowledge, she does not owe a debt to Defendant. Plaintiff believes Defendant was calling for a party other than herself.

6. On at least one occasion, Plaintiff told Defendant to stop calling her. However, Defendant continued to call Plaintiff anyway.

1 7. On March 12, 2013, Plaintiff's counsel sent a notice of representation and
2 request for validation of the debt to Defendant. Defendant has failed to respond to that letter at
3 this time.

4 8. Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways,
5 including but not limited to:

- 7 a) Using unfair or unconscionable means against Plaintiff in
8 connection with an attempt to collect a debt (§1692f);
- 9 b) Collecting an amount from Plaintiff that is not expressly
10 authorized by the agreement creating the debt (§1692f(1));
- 11 c) Collecting an amount from Plaintiff that is not permitted by law
12 (§1692f(1));
- 13 d) Communicating with Plaintiff at times or places which were
14 known or should have been known to be inconvenient for
Plaintiff (§1692c(a)(1));
- 15 e) Engaging in conduct the natural consequence of which is to
16 harass, oppress, or abuse Plaintiff (§1692d);
- 17 f) Causing Plaintiff's telephone to ring repeatedly or continuously
18 with intent to harass, annoy or abuse Plaintiff (§ 1692d(5));
- 19 g) Causing a telephone to ring repeatedly or continuously to annoy
Plaintiff (Cal Civ Code §1788.11(d)); and
- 20 h) Communicating, by telephone or in person, with Plaintiff with
21 such frequency as to be unreasonable and to constitute an
22 harassment to Plaintiff under the circumstances (Cal Civ Code
§1788.11(e)).

23 9. As a result of the above violations of the FDCPA and RFDCPA, Plaintiff
24 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,
25 embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for
26 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.
27

**COUNT I: VIOLATION OF ROSENTHAL
FAIR DEBT COLLECTION PRACTICES ACT**

10. Plaintiff reincorporates by reference all of the preceding paragraphs.

11. To the extent that Defendant's actions, counted above, violated the RFDCPA,
those actions were done knowingly and willfully

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the RFDCPA;
 - B. Actual damages;
 - C. Statutory damages for willful and negligent violations;
 - D. Costs and reasonable attorney's fees,
 - E. For such other and further relief as may be just and proper.

**COUNT II: VIOLATION OF FAIR DEBT
COLLECTION PRACTICES ACT**

12. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
 - B. Actual damages;
 - C. Statutory damages;
 - D. Costs and reasonable attorney's fees; and,
 - E. For such other and further relief as may be just and proper.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

Respectfully submitted this 10th day of June, 2013

By:

Todd M. Friedman, Esq.
Law Offices of Todd M. Friedman, P.C.
Attorney for Plaintiff

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Todd M. Friedman, Esq. SBN 216752 Law Offices of Todd M. Friedman 369 S. Doheny Dr. #415 Beverly Hills, CA 90211 TELEPHONE NO: 877-206-4741		FOR COURT USE ONLY CM-01
		FAX NO: 866-633-0228
ATTORNEY FOR (Name): Plaintiff, Carolyn Navarro		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill St.		
MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, 90012		
BRANCH NAME:		
CASE NAME: Carolyn Navarro v. Portfolio Recovery Associates, LLC		
CIVIL CASE COVER SHEET		
<input type="checkbox"/> Unlimited <input checked="" type="checkbox"/> Limited (Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)		
Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		
CASE NUMBER: 13K12032		
JUDGE: DEPT:		

Items 1-5 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<p>Auto Tort</p> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46)	<p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (36) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
<p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23)	<p>Real Property</p> <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	<p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20)
<p>Non-PI/PD/WD (Other) Tort</p> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35)	<p>unlawful Detainer</p> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (39)	<p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
<p>Employment</p> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<p>Judicial Review</p> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (32) <input type="checkbox"/> Other judicial review (36)	<p>Miscellaneous Civil Petition</p> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. Large number of separately represented parties
 - b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
 - c. Substantial amount of documentary evidence
 - d. Large number of witnesses
 - e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 - f. Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): 2

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 10, 2013

Date: June 10, 2013
Todd M. Friedman

Todd M. Friedman

SYNTHETIC NAME

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
 - File this cover sheet in addition to any cover sheet required by local court rule.
 - If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
 - Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
Judicial Council of California
CM-410 [Rev. July 1, 2007]

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
Cal. Standards of Judicial Administration, std. 3.10

www.browninfo.ca.gov
American LegalNet, Inc.
www.Facts4YourLaw.com

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES	
Auto Tort	Contract
Auto (22)-Personal Injury/Property	Breach of Contract/Warranty (06)
Damage/Wrongful Death	Breach of Rental/lease
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)	Contract (not unlawful detainer or wrongful eviction)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death)	Contract/Warranty Breach-Seller Plaintiff (not fraud or negligence)
Tort	Negligent Breach of Contract/Warranty
Asbestos (04)	Other Breach of Contract/Warranty
Asbestos Property Damage	Collections (e.g., money owed, open book accounts) (09)
Asbestos Personal Injury/ Wrongful Death	Collection Case-Seller Plaintiff
Product Liability (not asbestos or toxic/environmental) (24)	Other Promissory Note/Collections Case
Medical Malpractice (45)	Insurance Coverage (not provisionally complex) (18)
Medical Malpractice- Physicians & Surgeons	Auto Subrogation
Other Professional Health Care	Other Coverage
Malpractice	Other Contract (37)
Other PI/PD/WD (23)	Contractual Fraud
Premises Liability (e.g., slip and fall)	Other Contract Dispute
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Real Property
Intentional Infliction of Emotional Distress	Eminent Domain/Inverse Condemnation (14)
Negligent Infliction of Emotional Distress	Wrongful Eviction (33)
Other PI/PD/WD	Other Real Property (e.g., quiet title) (26)
Non-PI/PD/WD (Other) Tort	Writ of Possession of Real Property
Business Tort/Unfair Business Practice (07)	Mortgage Foreclosure
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (06)	Quiet Title
Defamation (e.g., slander, libel) (13)	Other Real Property (not eminent domain, landlord/tenant, or foreclosure)
Fraud (16)	Unlawful Detainer
Intellectual Property (19)	Commercial (31)
Professional Negligence (25)	Residential (32)
Legal Malpractice	Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)
Other Professional Malpractice (not medical or legal)	Judicial Review
Other Non-PI/PD/WD Tort (35)	Asset Forfeiture (06)
Employment	Petition Re: Arbitration Award (11)
Wrongful Termination (36)	Writ of Mandate (02)
Other Employment (15)	Writ-Administrative Mandamus
	Writ-Mandamus on Limited Court Case
	Case Matter
	Writ-Other Limited Court Case Review
	Other Judicial Review (39)
	Review of Health Officer Order
	Notice of Appeal-Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)
 Antitrust/Trade Regulation (03)
 Construction Defect (10)
 Claims Involving Mass Tort (40)
 Securities Litigation (28)
 Environmental/Toxic Tort (30)
 Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)
 Enforcement of Judgment
 Enforcement of Judgment (20)
 Abstract of Judgment (Out of County)
 Confession of Judgment (non-domestic relations)
 Sister State Judgment
 Administrative Agency Award (not unpaid taxes)
 Petition/Certification of Entry of Judgment on Unpaid Taxes
 Other Enforcement of Judgment Case
 Miscellaneous Civil Complaint
 RICO (27)
 Other Complaint (not specified above) (42)
 Declaratory Relief Only
 Injunctive Relief Only (non-harassment)
 Mechanics Lien
 Other Commercial Complaint Case (non-tort/non-complex)
 Other Civil Complaint (non-tort/non-complex)
 Miscellaneous Civil Petition
 Partnership and Corporate Governance (21)
 Other Petition (not specified above) (43)
 Civil Harassment
 Workplace Violence
 Elder/Dependent Adult Abuse
 Election Contest
 Petition for Name Change
 Petition for Relief From Late Claim
 Other Civil Petition

SHORT TITLE: Carolyn Navarro v. Portfolio Recovery Associates, LLC	CASE NUMBER 13K12032
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**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 2-4 HOURS/ DAYS

Item II. Indicate the correct district and courthouse location (4 steps -- If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death -- Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7290 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7280 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: Carolyn Navarro v. Portfolio Recovery Associates, LLC		CASE NUMBER																																																																											
<table border="1"> <thead> <tr> <th>A Civil Case Cover Sheet Category No.</th> <th>B Type of Action (Check only one)</th> <th>C Applicable Reasons - See Step 3 Above</th> </tr> </thead> <tbody> <tr> <td>Non-Personal Injury/Property Damage/Wrongful Death Tort</td> <td></td> <td></td> </tr> <tr> <td>Business Tort (07)</td> <td><input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)</td> <td>1., 3.</td> </tr> <tr> <td>Civil Rights (08)</td> <td><input type="checkbox"/> A6005 Civil Rights/Discrimination</td> <td>1., 2., 3.</td> </tr> <tr> <td>Defamation (13)</td> <td><input type="checkbox"/> A6010 Defamation (slander/libel)</td> <td>1., 2., 3.</td> </tr> <tr> <td>Fraud (16)</td> <td><input type="checkbox"/> A6013 Fraud (no contract)</td> <td>1., 2., 3.</td> </tr> <tr> <td>Professional Negligence (25)</td> <td><input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)</td> <td>1., 2., 3. 1., 2., 3.</td> </tr> <tr> <td>Other (35)</td> <td><input checked="" type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort</td> <td>2.19</td> </tr> <tr> <td>Employment</td> <td></td> <td></td> </tr> <tr> <td>Wrongful Termination (36)</td> <td><input type="checkbox"/> A6037 Wrongful Termination</td> <td>1., 2., 3.</td> </tr> <tr> <td>Other Employment (15)</td> <td><input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals</td> <td>1., 2., 3. 10.</td> </tr> <tr> <td>Contract</td> <td></td> <td></td> </tr> <tr> <td>Breach of Contract/Warranty (D6) (not insurance)</td> <td><input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)</td> <td>2., 5. 2., 5. 1., 2., 5. 1., 2., 5.</td> </tr> <tr> <td>Collections (09)</td> <td><input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case</td> <td>2., 5., 6. 2., 5.</td> </tr> <tr> <td>Insurance Coverage (18)</td> <td><input type="checkbox"/> A6015 Insurance Coverage (not complex)</td> <td>1., 2., 5., 8.</td> </tr> <tr> <td>Other Contract (37)</td> <td><input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)</td> <td>1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.</td> </tr> <tr> <td>Real Property</td> <td></td> <td></td> </tr> <tr> <td>Eminent Domain/Inverse Condemnation (14)</td> <td><input type="checkbox"/> A7000 Eminent Domain/Condemnation Number of parcels _____</td> <td>2.</td> </tr> <tr> <td>Wrongful Eviction (33)</td> <td><input type="checkbox"/> A6023 Wrongful Eviction Case</td> <td>2., 6.</td> </tr> <tr> <td>Other Real Property (26)</td> <td><input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6050 Other Real Property (not eminent domain, landlord/tenant, foreclosure)</td> <td>2., 6. 2., 6. 2., 6.</td> </tr> <tr> <td>Unlawful Detainer</td> <td></td> <td></td> </tr> <tr> <td>Unlawful Detainer-Commercial (31)</td> <td><input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)</td> <td>2., 6.</td> </tr> <tr> <td>Unlawful Detainer-Residential (32)</td> <td><input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)</td> <td>2., 6.</td> </tr> <tr> <td>Unlawful Detainer- Post-Foreclosure (34)</td> <td><input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure</td> <td>2., 6.</td> </tr> <tr> <td>Unlawful Detainer-Drugs (38)</td> <td><input type="checkbox"/> A6022 Unlawful Detainer-Drugs</td> <td>2., 6.</td> </tr> </tbody> </table>			A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above	Non-Personal Injury/Property Damage/Wrongful Death Tort			Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.	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SHORT TITLE: Carolyn Navarro v. Portfolio Recovery Associates, LLC		CASE NUMBER																		
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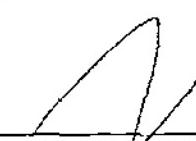
SHORT TITLE: Carolyn Navarro v. Portfolio Recovery Associates, LLC	CASE NUMBER:
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.	ADDRESS: 202 S LaBellen Ave.	
CITY: West Covina	STATE: CA	ZIP CODE: 91791

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: June 10, 2013



(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In re Los Angeles Superior Court Cases General) Case No.: 13 K 12032
Order – Limited Jurisdiction (Non-Collections))
Cases) GENERAL ORDER
)
)
)
)

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure, the California Rules of Court, and the
Los Angeles County Court Rules, the COURT HEREBY GENERALLY ORDERS AS
FOLLOWS IN THIS ACTION:

1. PLAINTIFF/S IS/ARE ORDERED TO SERVE A COPY OF THIS
GENERAL ORDER ON THE DEFENDANT/S WITH COPIES OF THE SUMMONS
AND COMPLAINT AND TO FILE PROOF OF SERVICE, AS MANDATED IN THIS
ORDER. (Code Civ. Proc., § 594, subd. (b).)

2. The Court sets the following trial date in this case in Department 77 at the
Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012:

POS: A 2 26 2014 TRIAL: 2 26 2015 OSC: 8 26 2016

TRIAL:

* Date: _____ at 8:30 a.m.

SERVICE OF SUMMONS AND COMPLAINT

3. The trial date set forth above is conditioned on the defendant/s being served
with the summons and complaint within six (6) months of the filing of the complaint. The

1 trial date will be continued to a later date if service is not accomplished within six (6)
2 months. The parties may stipulate to keep the original trial date even if service of the
3 summons and complaint is not completed within six (6) months of the filing of the original
4 complaint.

5 4. The summons and complaint shall be served upon the defendant/s within three
6 (3) years after the complaint is filed in this action. (Code Civ. Proc., § 583.210, subd. (a).)
7 Failure to comply will result in dismissal, without prejudice, of the action, as to all unserved
8 parties who have not been dismissed as of that date. (Code Civ. Proc., § 581, subd. (b)(4).).
9 The dismissal as to the unserved parties, without prejudice, for this case shall be effective on
10 the following date:
11
12

13 **UNSERVED PARTIES DISMISSAL DATE**

14
15 2 26 2014 TRIAL: 2 26 2015 DISM: 8 26 2016
16 DIS: 2 26 2014 TRIAL: 2 26 2015 DISM: 8 26 2016
17

18 5. No Case Management Review (CMR) will be conducted in this case.
19

20 **LAW AND MOTION**

21 6. All regularly noticed pre-trial motions will be heard in Department 77 on
22 Mondays, Tuesdays, Wednesdays, and Thursdays at 8:30 a.m. Motions will require parties
23 to reserve a hearing date by calling (213) 974-6247. All motions should be filed in Room
24 102 of the Stanley Mosk Courthouse.
25

26 7. Tentative rulings may be posted on the Court's internet site at
27 <http://www.lasuperiorcourt.org/tentativeruling> the day prior to the hearing.
28

EX PARTE APPLICATIONS

8. Ex parte applications should be noticed for 1:30 p.m. in Department 77. All
2 applications must be filed by 1:00 p.m. in Room 102 of the Stanley Mosk Courthouse.
3

JURY FEES

5 9. The fee shall be due no later than 365 calendar days after the filing of the
6 initial complaint. (Code Civ. Proc., § 631, subds. (b) and (c).)
7

STIPULATION TO CONTINUE TRIAL

9 10. A trial will be postponed if all attorneys of record and/or the parties who have
10 appeared in the action stipulate in writing to a specific continued date. If the Stipulation is
11 filed less than five (5) court days before the scheduled trial date, then a courtesy copy of the
12 stipulation must be filed in Department 77. The stipulation and order should be filed in
13 Room 102 of the Stanley Mosk Courthouse with the required filing fees. (Code Civ. Proc., §
14 595.2 and Govt. Code § 70617, subd. (c)(2).)
15

TRIAL

16 11. Parties are to appear on the trial date ready to go to trial, and must meet and
17 confer on all pretrial matters at least 20 calendar days before the trial date. On the day of
18 trial the Parties shall bring with them to Department 77 all of the following:
19

- 21 i. Joint Statement of the Case;
- 22 ii. Motions in Limine, which must be served and filed in accordance with the
23 Local Rules of the Los Angeles Superior Court (LASC), see local rule 3.57;
- 24 iii. Joint Witness List disclosing the witnesses who will be called what they will
25 testify to, and how long their testimony will take;
- 26 iv. Joint Exhibits in exhibit books, numbered appropriately, and Exhibit List;
27

1 v. Joint Proposed Jury Instructions printed out for the court; and

2 vi. Joint Proposed Verdict form(s) printed out for the court.

3 **12. FAILURE TO COMPLY WITH ANY REQUIREMENT SET FORTH**

4 **IN PARAGRAPH 11 ABOVE MAY RESULT IN SANCTIONS OR THE VACATING**
5 **OF THE TRIAL DATE. (Los Angeles Superior Court Local Rule 3.37.)**

6
7
8 **GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED.**

9
10
11 DATE: March 13, 2013
12


13 Hon. Stephanie Bowick
14 Judge of the Superior Court
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Otis D. Wright II and the assigned Magistrate Judge is Charles F. Eick.

The case number on all documents filed with the Court should read as follows:

2:13-CV-7265-ODW (Ex)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

October 1, 2013

Date

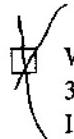
By MDAVIS

Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:



Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012



Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701



Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) CAROLYN NAVARRO		DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) PORTFOLIO RECOVERY ASSOCIATES LLC			
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.) TODD M. FRIEDMAN, LAW OFFICES OF TODD M. FRIEDMAN, P.C. 369 S. DOHENY DR. #415 BEVERLY HILLS, CA 90211 TEL: 877-206-4741		(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.) RAMI N. HADDAD 140 CORPORATE BOULEVARD NORFOLK, VA 23502 TEL: 757-481-8359			
II. BASIS OF JURISDICTION (Place an X in one box only.)		III. CITIZENSHIP OF PRINCIPAL PARTIES -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)			
<input type="checkbox"/> 1. U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)	Citizen of This State <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4		
<input type="checkbox"/> 2. U.S. Government Defendant	<input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5		
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 3	Foreign Nation <input type="checkbox"/> 6 <input checked="" type="checkbox"/> 6		
IV. ORIGIN (Place an X in one box only.)		6. Multi-District Litigation <input type="checkbox"/>			
<input type="checkbox"/> 1. Original Proceeding	<input checked="" type="checkbox"/> 2. Removed from State Court	3. Remanded from Appellate Court <input type="checkbox"/>	4. Reinstated or Reopened <input type="checkbox"/> 5. Transferred from Another District (Specify) <input type="checkbox"/>		
V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		(Check "Yes" only if demanded in complaint.)			
CLASS ACTION under F.R.Cv.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		MONEY DEMANDED IN COMPLAINT: \$ _____			
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) PLAINTIFF ALLEGES VIOLATIONS OF THE RFDCPA CAL CIV. CODE 1788 ARISING UNDER THE FDCPA 15 U.S.C. 1692 ET SEQ.					
VII. NATURE OF SUIT (Place an X in one box only).					
OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY DAMAGE
<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/Etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org. <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Admin. Procedures <input type="checkbox"/> Act/Review of Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.) <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
		TORTS	PERSONAL PROPERTY	Other: <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405 (g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405 (g))
		<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability	BANKRUPTCY <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability	FEDERAL TAXES <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
		<input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 360 Other Personal Injury	FORFEITURE/PENALTY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	
		<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 365 Personal Injury-Product Liability	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act
		<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment		<input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act
		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other		
		<input type="checkbox"/> 448 Education			

FOR OFFICE USE ONLY: Case Number: _____

UNITED STATES DISTRICT COURT, CLARK R. HOLZTRAIL, CALIFORNIA CIVIL COVER SHEET

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court?	STATE CASE WAS PENDING IN THE COUNTY OF:	INITIAL DIVISION IN CACD IS:
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Los Angeles	Western
If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action?	If the United States, or one of its agencies or employees, is a party, is it:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A PLAINTIFF?	A DEFENDANT?
If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
		Western

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies:	C.2. Is either of the following true? If so, check the one that applies:
<input type="checkbox"/> 2 or more answers in Column C	<input type="checkbox"/> 2 or more answers in Column D
<input type="checkbox"/> only 1 answer in Column C and no answers in Column D	<input type="checkbox"/> only 1 answer in Column D and no answers in Column C
Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below.	Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below.
If none applies, answer question C2 to the right. →	If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	WESTERN

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? NO YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? NO YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY**(OR SELF-REPRESENTED LITIGANT):** _____

DATE: 10-1-13

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

PROOF OF SERVICE

I, the undersigned declare:

I am employed in the City and County of Norfolk, Virginia. I am over the age of eighteen years and not a party to this action. My business address is 140 Corporate Boulevard, Norfolk, Virginia 23502. I am readily familiar with the business practices of my employer, Portfolio Recovery Associates, for the collection and processing of correspondence by mailing with the United States Postal Service and that said correspondence is deposited with the United States Postal service that same day in the ordinary course of business.

10 On October 1, 2013, I caused the CIVIL COVER SHEET to be served upon the parties
11 listed below via US Mail:

12 Todd M. Friedman
13 369 S. Doheny Dr. #415
14 Beverly Hills, CA 90211
Law Offices of Todd M. Friedman, P.C.
Attorney for Plaintiff

16 I declare under penalty of perjury that the foregoing is true and correct. Executed at Norfolk
17 Virginia on this 1st day of October 2013.

By: 
Shannan R. Powell